

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/501,726
Applicant : Renate KUNERT et al.
Filed : July 16, 2004
TC/A.U. : 1648
Examiner : Jeffrey S. PARKIN

Docket No. : 3224-153
Customer No. : 6449
Confirmation No. : 4370

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

January 31, 2008

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement mailed December 31, 2007, Applicants hereby elect to prosecute Group I (claims 1-13) on the merits. This election is made with traverse. A response to the Restriction Requirement is due January 31, 2008 and thus, this paper is being timely filed.

Applicants submit that the restriction requirement as set forth is improper, at least in part, and respectfully request that it be withdrawn, or, in the alternative, that it be modified so that at least Groups I and II (i.e., claims 1-14) are joined and together examined on the merits.

Applicants believe that at least Groups I and II relate to a single general inventive concept under PCT Rule 13.1. The claims of Group I (claims 1-13) refer to an anti-idiotypic antibody, which is reactive with HIV-1 neutralizing antibody 2F5, to a

hybridoma cell line producing said anti-idiotypic antibody, and to the use of said anti-idiotypic antibody.

If the claims of an application have one common technical feature, there is sufficient unity of invention under the PCT Unity of Invention Requirements (see, e.g. PCT Rule 13.2). In the present case, Applicants submit that claim 14 (assigned to Group II), relating to a composition comprising a fusion protein and *an anti-idiotypic antibody, which is reactive with HIV-1 neutralizing antibody 2F5*, indeed shares such a common technical feature with the claims of Group I (claims 1-13) (i.e., the anti-idiotypic antibody, reactive with HIV-1 neutralizing antibody 2F5), and therefore, is well unified together with the claims of Group I, under a single inventive concept.

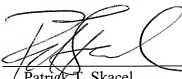
Accordingly, Applicants submit that the Restriction Requirement as it has been set forth, is improper. The claims of at least Groups I and II share a common technical feature, and thus are unified under a single general inventive concept in accordance with the PCT Unity of Invention Requirements. Therefore, Applicants respectfully request that the Restriction Requirement be withdrawn, or, in the alternative, at least modified so that both of Groups I and II (claims 1-14) are examined on the merits.

No fee is believed due in connection with the filing of this paper. If, however, any fee is deemed necessary, the Office is hereby authorized to charge any such fees, or credit any overpayment, to Deposit Account 02-2135. Early and favorable action on the merits is respectfully requested.

Respectfully submitted,

January 31, 2008

By:



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